

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA**

IN THE MATTER OF A PILOT)	
PROJECT FOR APPEARANCE)	ADMINISTRATIVE ORDER
OF ATTORNEYS AT INITIAL)	NO. 2004-030
APPEARANCE COURT)	
_____)	

Whereas, the Maricopa County Superior Court operates a 24 hour initial appearance court for in-custody defendants to comply with the requirement that any arrested defendant be brought before a Judge within 24 hours of arrest; and

Whereas, the initial appearance court has to make decisions regarding appointment of counsel and release of defendants on bail or other conditions; and

Whereas, in criminal proceedings in the Superior Court the State of Arizona is generally represented by the Maricopa County Attorney; and

Whereas, the Maricopa County Attorney does not send attorneys to represent the interests of the State of Arizona at proceedings at the initial appearance court; and

Whereas, an adversary system of justice relies upon the interests of the State of Arizona to be advocated by its attorneys, and the victims bill of rights requires the State of Arizona to articulate to the Court the interests of victims when not adverse to the State of Arizona; and

Whereas, all attorneys licensed in the State of Arizona are officers of the Court, and

Whereas, the appearance of the County Attorney in the IA Court is a change in practice and will have budget implications to the County that should be phased in, and a pilot project will allow all parties to evaluate the cost and effectiveness of the project,

IT IS ORDERED:

The Maricopa County Attorney's Office shall appear at afternoon daytime hearings in the initial appearance court and advocate the interests of the State of Arizona and, where appropriate, victims on the Monday through Friday afternoon calendars. This order shall be effective upon the opening of the new initial appearance courtrooms in the new Fourth Avenue and Madison Street jail, now estimated to open on or about October 1, 2004. Once the County Attorney is integrated into the

operations of the daytime afternoon initial appearance court, the Court will evaluate the continued feasibility of expansion of the pilot project.

Dated this 30th day of March, 2004.

Colin F. Campbell
Presiding Judge

Original: Clerk of the Superior Court

Copies: Marcus Reinkensmeyer, Trial Courts Administrator
Hon. Eddward Ballinger, Presiding Criminal Court Judge
Hon. Thomas O'Toole, Associate Presiding Criminal Court Judge
James Haas, Maricopa County Public Defender
Mark Kennedy, Office of Contract Counsel
Susan Sherwin, Office of the Legal Advocate
Robert Briney, Office of the Legal Defender
The Honorable Richard Romley, County Attorney
Paul Ahler, Chief Deputy County Attorney
Peter Kiefer, Criminal Court Administrator
David Smith, County Administrator
Sandi Wilson, Deputy County Administrator